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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,384	10/09/2003	Takashi Kamijo	032009	6397

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EXAMINER

MCNAULL, ALINE D

ART UNIT	PAPER NUMBER
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2872

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/681,384

Applicant(s)

KAMIJO ET AL.

Examiner

Aline D. McNaull

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7, 9 and 11-17 is/are rejected.
- 7) ☒ Claim(s) 2-6, 8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

Claims 1-17 remain pending in this application.

Response to Amendment

Amendments to the Claims, Specification and Abstract were received on 11/16/2006. These amendments are acknowledged and accepted.

Response to Arguments

Applicant's arguments, see page 9, filed 11/16/2006, with respect to the rejection(s) of claim(s) 1-3, 7-9, and 11-17 under Taguchi and claim 10 under Taguchi in view of Ito have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Moravec et al, United States Patent No 6,761,452 B2.

Claim Objections

Claims 3 and 9 is objected to because of the following informalities:

Regarding Claim 9, there should be a unit inserted after the "400" in line 2. For purposes of Examination, Examiner has taken "400" to be "400 nm".

Regarding Claim 3, "orientation processing step" in lines 2-3 should be --an orientation processing step--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 7, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Moravec et al., United States Patent No. 6,761,452 B2 hereinafter Moravec.

Regarding Claim 1, Moravec teaches a polarizer comprising a monolayer film comprising a continuous phase and a dispersed phase (see abstract) wherein the continuous phase comprises a matrix formed of a translucent water soluble resin including an iodine light absorbing material, and wherein the dispersed phase comprises a minute domain dispersed in the matrix (see column 1, lines 20-40).

Regarding Claim 7, Moravec teaches a polarizer wherein the film is manufactured by stretching (see column 1, lines 20-25).

Regarding Claim 9, Moravec teaches a polarizer wherein the iodine light absorbing material has an absorbing band at least in a band of 400 nm through 700 nm wavelength range (see column 2, lines 35-45).

Claim Rejections - 35 USC § 103

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moravec ('452) in view of Taguchi et al., United States Patent Application Publication No US 2002/0084447 A1, hereinafter Taguchi.

Regarding Claim 11, Moravec teaches the polarizer as set forth above. Moravec is silent with regard to a transparent protective layer being formed at least on one side of the polarizer.

Taguchi teaches a transparent protective layer being formed at least on one side of the polarizer (see paragraphs 163-166 of the specification).

At the time of invention, it would have been obvious to one of ordinary skill in the art to provide the polarizing plate of Moravec with the transparent protective layer formed at least on one side of the polarizer as taught by Taguchi. The motivation for doing this would have been to prevent moisture from damaging the polarizing plate as is well known in the art.

Regarding Claim 12, Moravec teaches an optical film having at least a polarizer or a polarizing plate as set forth above (see column 1, line 15).

Regarding Claim 13, Moravec teaches an image display comprising at least the polarizer or polarizing plate as set forth above (see column 1, line 17).

Art Unit: 2872

Regarding Claim 14, Moravec teaches an image display comprising the optical film as set forth above (see column 1, lines 14-20).

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moravec ('452).

Moravec teaches the polarizer as set forth above but is silent that the minute domains and iodine light absorbing material are dispersed throughout the matrix.

At the time of invention, it would have been obvious to one of ordinary skill in the art to disperse the minute domains throughout the matrix. Moravec teaches that the dichroic dyes include iodine (see column 1, lines 25-30) and one having ordinary skill in the art would have known to have the iodine be dispersed throughout the matrix since the iodine affects the optical properties of the film and one having ordinary skill in the art would know that it is optimal to produce a film with optical properties consistent throughout the film.

Allowable Subject Matter

Claims 2-6, 8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aline D. McNaul whose telephone number is 571-272-8043. The examiner can normally be reached on Monday-Friday, 8:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ADM.
ADM
1/16/2007


ARNEL LAVARIAS
PRIMARY PATENT EXAMINER